

627

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Executive Office

SUBMITTAL DATE:
April 6, 2015

SUBJECT: AB 45 (Mullin) Household Hazardous Waste – Oppose Unless Amended. All Districts [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:


1. Oppose AB 45 (Mullin) which would require a “one size fits all” approach to Household Hazardous Waste management. It would establish curbside collection as the principal means of collecting household hazardous waste, taking away local control and decision-making.

BACKGROUND:

Summary

Assembly Bill 45 would require jurisdictions to create a household hazardous waste (HHW) baseline and to meet an unspecified diversion requirement for HHW collection. The bill also would create a model ordinance for door-to-door collection and diversion program. Riverside County recognizes the need to increase collection and ensure for the proper management of HHW, as these products, when improperly disposed of, create a health and safety issue for our communities. However, we have strong objections to the approach outlined in this bill.


Departmental Concurrence


Steven Horn
Senior Management Analyst

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: N/A				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

APPROVE

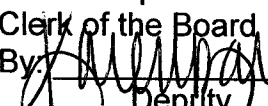
BY: 
Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: April 14, 2015
xc: E.O.

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

Prev. Agn. Ref.:

District: ALL

Agenda Number:

3-20

- Positions Added
- Change Order
- A-30
- 4/5 Vote

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: AB 45 (Mullin) Household Hazardous Waste – Oppose Unless Amended. All Districts
[\$0]**

DATE: April 6, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Cities and counties are currently required to prepare, adopt, and submit to Cal Recycle a Household Hazardous Waste Element, which identifies a program for the safe collection, recycling, treatment, and disposal of hazardous wastes that are generated by households. The Household Hazardous Waste Element (HHWE) specifies how HHW must be collected, treated, and disposed. In addition, local jurisdictions are required to report to Cal Recycle how much HHW they collect annually. Thus, jurisdictions across the state have developed comprehensive programs to collect and manage HHW, each tailored to the needs of their respective community. Many jurisdictions have implemented several different types of programs to increase convenience to the consumer. These methods include weekly HHW mobile events where residents can drop off their materials at a specified location, permanent collection centers, and door-to-door pickup service. However, due to the immense cost to manage HHW, local programs cannot afford to collect everything.

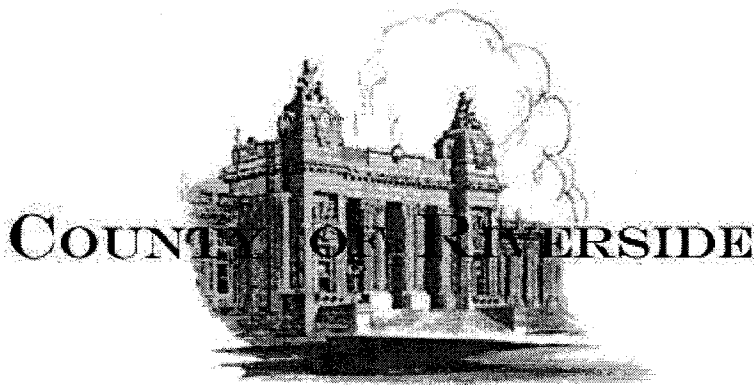
Riverside County strongly supports the concept of Extended Producer Responsibility (EPR). While this model may not be appropriate for all products, EPR is an excellent tool to employ for the producers of toxic and expensive-to-manage products, requiring the industries that profit from these products to have a stake in their proper management and disposal. Furthermore, this model incentivizes producers to incorporate environmental considerations in their design process, creating healthier products that are less toxic to our environment.

We believe that AB 45 would have the opposite effect on California's HHW management system. Requiring local jurisdictions to create a HHW base line amount, which would be used to calculate an unspecified diversion mandate, removes all incentive for the creation of additional EPR programs in California. HHW management is a very expensive process as these toxic products require very specific handling and local governments and tax payers should not have to bear the entire burden of managing these products. Furthermore, HHW is much different than municipal solid waste and creating targets for diversion is more complicated than household garbage. HHW includes a number of different products, including fluorescent lamps and tubes, various chemicals, sharps, pharmaceuticals and more. Households consume varying amounts of these types of products and hold onto them for varying amounts of time, thus making the development of a baseline difficult.

Finally, we do not agree with the assertion that door-to-door HHW collection is the most desirable or preferred method of collection. While several jurisdictions have implemented these types of programs, they are often more expensive to the rate payer and more time intensive than other methods. We do not believe it is an effective use of Cal Recycle resources to develop a model ordinance for a door-to-door collection program. Cal Recycle currently manages a small HHW grant program to help local governments establish or expand HHW collection programs. We believe that resources would be better spent by augmenting this grant program to help jurisdictions increase hours of operation and frequency of collection events.

Impact on Citizens and Businesses

This bill has the potential to increase costs to residents through the creation of new regulations to manage household hazardous waste. Opposing this legislation will assist with retaining local control over the management of household hazardous waste programs.



Board of Supervisors

District 1	Kevin Jeffries 951-955-1010
District 2	John F. Tavgliione 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	John J. Benoit 951-955-1040
District 5 <i>Chairman</i>	Marion Ashley 951-955-1050

April 7, 2015

The Honorable Brian Maienschein, Chair
Assembly Local Government Committee
State Capitol Building, Room 4139
Sacramento, CA 95814

**RE: AB 45 (Mullin) – Household Hazardous Waste
As Amended on March 19, 2015 – OPPOSE
Referred to the Assembly Local Government Committee**

Dear Assembly Member Maienschein:

On behalf of the Riverside County Board of Supervisors, I write to respectfully express our opposition to AB 45, by Assembly Member Kevin Mullin. This bill would require jurisdictions to create a household hazardous waste (HHW) base line and to meet an unspecified diversion requirement for HHW collection. The bill also allows the Department of Resources, Recycling and Recovery (Cal Recycle) to create a model ordinance for a door-to-door collection and diversion program. Riverside County recognizes the need to increase collection and ensure for the proper management of HHW, as these products, when improperly disposed of, create a health and safety issue for our communities. However, we have strong objections to the approach outlined in this bill.

Cities and counties are currently required to prepare, adopt, and submit to Cal Recycle a Household Hazardous Waste Element, which identifies a program for the safe collection, recycling, treatment, and disposal of hazardous wastes that are generated by households. The Household Hazardous Waste Element (HHWE) specifies how HHW must be collected, treated, and disposed. In addition, local jurisdictions are required to report to Cal Recycle how much HHW they collect annually. Thus, jurisdictions across the state have developed comprehensive programs to collect and manage HHW, each tailored to the needs of their respective community. Many jurisdictions have implemented several different types of programs to increase convenience to the consumer. These methods include weekly HHW mobile events where residents can drop off their materials at a specified location, permanent collection centers, and door-to-door pickup service. However, due to the immense cost to manage HHW, local programs cannot afford to collect everything.

In addition to local programs, the state has required manufacturers of certain products, including paint, which is banned from our landfills, to create and fund a product

Letter to The Honorable Brian Maienschein, Chair
Assembly Local Government Committee

April 7, 2015

Page 2

stewardship plan for the end-of-life management of their product, commonly referred to as Extended Producer Responsibility. In this model, the manufacturer is required to fund and operate collection programs for the products they produce. In the instance of paint, manufacturers have come together to form a joint product stewardship organization that offers convenient collection at no cost to the consumer at many retail paint establishments, such as Sherwin Williams and Kelly Moore paint stores.

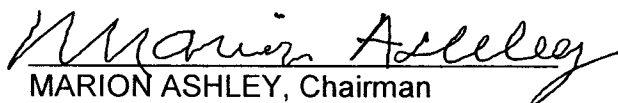
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It is for these reasons that we must respectfully oppose AB 45. Should you have any questions regarding our position, please feel free to contact Alex Gann at 951-955-1110, or agann@rceo.org.

Sincerely,


MARION ASHLEY, Chairman
Riverside County Board of Supervisors

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Paul Jacobs

Address: _____
(only if follow-up mail response requested)

City: Temecula **Zip:** _____

Phone #: _____

Date: 4/14/15 **Agenda #** 3-20

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

**Riverside County Board of Supervisors
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SPEAKER'S NAME: GARRY GRANT

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: APRIL 14TH 015 **Agenda #** 3-20

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

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I give my 3 minutes to: _____

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SPEAKER'S NAME: BRITT Holmstrom

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 3-20

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